IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

WRIT PETITION NO.7151 OF 2000

Ms. Nita Atmaram Thakur & Anr. ...Petitioners.
Vs.
State of Maharashtra & Ors. ...Respondents.
....
Ms.Shilpa Talhar i/b. Ms. Rahul S. Kate for the Petitioners.
Mr. C.R. Sonawane, AGP for Respondent No.1.
Mr. Deepak R. More for Respondent Nos.2 to 4.
.....

CORAM : KSHITIJ R. VYAS, C.J. &
DR.D.Y.CHANDRACHUD, J.

April 4, 2006.

P.C. (Per Dr. D.Y. Chandrachud, J.):

By these proceedings under Article 226 of the Constitution, the Petitioners seek an appropriate writ, order or direction for quashing and setting aside the selection process for the appointment of Lecturers in the subject of Hindi conducted for the Fourth Respondent College on 10th October 2000. The Petitioners also pray for a direction to the effect that they have become permanent and for consequential reliefs. The Petitioners hold the qualification of an M.A. in Hindi and B.Ed. Both the Petitioners were appointed admittedly on a temporary basis as

Lecturers in the subject of Hindi by an appointment order dated 2nd August 1996, on the recommendation of the Local Selection Committee. The temporary appointment came to be renewed from time to time. From the affidavit in reply that has been filed on behalf of the management, it emerges that the Shivaji University constituted a Regular Selection Committee. There were in all eight vacancies for the post of Full Time Lecturer in Hindi of which inter alia two were reserved for the OBC category. After applications were received, call letters were issued to 155 candidates and a total of 83 candidates attended the interviews including the two Petitioners. In the reply, it has been stated that two candidates came to be selected, namely, Smt.Kamayani Surve and Shri B.Y. Vanmare from the OBC category. The Petitioners also belong to that category. The selected candidates have joined service with effect from 1st December 2000, but they have not been impleaded in these proceedings. Smt. Surve has, besides a First Class in the M.A. (Hindi) Examination, passed both the NET and SET Examinations. The other selected candidate, Mr.Vanmare, has completed his M.A. in the First Class, has passed the said SET Examination and completed his M.Phil.

2. Both the Petitioners have failed to get selected after a duly constituted Selection Committee conducted the process of selection. The University Selection Committee which consists of Subject Experts did not find the Petitioners suitable. The Petitioners had no vested right to continue since their appointments were only temporary appointments pending a regular selection by the University Selection Committee. In the affidavit in reply, the circumstances in which the interviews were required to be held for an extended duration on the stipulated date have been satisfactorily explained. It has been stated that the Subject Experts nominated by the University were available for a limited period of time and since a majority of candidates did not belong to the District of Satara and had no arrangements of their own to reside at the place of the interviews, the interviews were conducted beyond the normal working hours until the process was completed. The Petitioners have not chosen to implead the selected candidates.

3. For all these reasons, we do not find any merit in the petition. The petition is accordingly dismissed.

CHIEF JUSTICE

Dr.D. Y. Chandrachud, J.